

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1729 be amended to read as follows:

- 1 Page 2, between lines 7 and 8, begin a new paragraph and insert:
- 2 "SECTION 2. IC 4-33-12-6, AS AMENDED BY P.L.146-2008,
- 3 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 4 JULY 1, 2009]: Sec. 6. (a) The department shall place in the state
- 5 general fund the tax revenue collected under this chapter.
- 6 (b) Except as provided by subsections (c) and (d) and IC 6-3.1-20-7,
- 7 the treasurer of state shall quarterly pay the following amounts:
- 8 (1) Except as provided in subsection (k), one dollar (\$1) of the
- 9 admissions tax collected by the licensed owner for each person
- 10 embarking on a gambling excursion during the quarter or
- 11 admitted to a riverboat that has implemented flexible scheduling
- 12 under IC 4-33-6-21 during the quarter shall be paid to:
- 13 (A) the city in which the riverboat is docked, if the city:
- 14 (i) is located in a county having a population of more than
- 15 one hundred ten thousand (110,000) but less than one
- 16 hundred fifteen thousand (115,000); or
- 17 (ii) is contiguous to the Ohio River and is the largest city in
- 18 the county; and
- 19 (B) the county in which the riverboat is docked, if the
- 20 riverboat is not docked in a city described in clause (A).
- 21 (2) Except as provided in subsection (k), one dollar (\$1) of the
- 22 admissions tax collected by the licensed owner for each person:
- 23 (A) embarking on a gambling excursion during the quarter; or
- 24 (B) admitted to a riverboat during the quarter that has

implemented flexible scheduling under IC 4-33-6-21;
shall be paid to the county in which the riverboat is docked. In the
case of a county described in subdivision (1)(B), this one dollar
(\$1) is in addition to the one dollar (\$1) received under
subdivision (1)(B).

(3) Except as provided in subsection (k), ten cents (\$0.10) of the
admissions tax collected by the licensed owner for each person:

(A) embarking on a gambling excursion during the quarter; or

(B) admitted to a riverboat during the quarter that has
implemented flexible scheduling under IC 4-33-6-21;

shall be paid to the county convention and visitors bureau or
promotion fund for the county in which the riverboat is docked.

(4) Except as provided in subsection (k), fifteen cents (\$0.15) of
the admissions tax collected by the licensed owner for each
person:

(A) embarking on a gambling excursion during the quarter; or

(B) admitted to a riverboat during a quarter that has
implemented flexible scheduling under IC 4-33-6-21;

shall be paid to the state fair commission, for use in any activity
that the commission is authorized to carry out under IC 15-13-3.

(5) Except as provided in subsection (k), ten cents (\$0.10) of the
admissions tax collected by the licensed owner for each person:

(A) embarking on a gambling excursion during the quarter; or

(B) admitted to a riverboat during the quarter that has
implemented flexible scheduling under IC 4-33-6-21;

shall be paid to the division of mental health and addiction. The
division shall allocate at least twenty-five percent (25%) of the
funds derived from the admissions tax to the prevention and
treatment of compulsive gambling.

(6) Except as provided in subsection (k) and section 7 of this
chapter, sixty-five cents (\$0.65) of the admissions tax collected by
the licensed owner for each person embarking on a gambling
excursion during the quarter or admitted to a riverboat during the
quarter that has implemented flexible scheduling under
IC 4-33-6-21 shall be paid to the Indiana horse racing commission
to be distributed as follows, in amounts determined by the Indiana
horse racing commission, for the promotion and operation of
horse racing in Indiana:

(A) To one (1) or more breed development funds established
by the Indiana horse racing commission under IC 4-31-11-10.

(B) To a racetrack that was approved by the Indiana horse
racing commission under IC 4-31. The commission may make
a grant under this clause only for purses, promotions, and
routine operations of the racetrack. No grants shall be made
for long term capital investment or construction, and no grants
shall be made before the racetrack becomes operational and is

1 offering a racing schedule.

2 (c) With respect to tax revenue collected from a riverboat located in
3 a historic hotel district, the treasurer of state shall quarterly pay the
4 following amounts:

5 (1) Twenty-two percent (22%) of the admissions tax collected
6 during the quarter shall be paid to the county treasurer of the
7 county in which the riverboat is docked. The county treasurer
8 shall distribute the money received under this subdivision as
9 follows:

10 (A) Twenty-two and seventy-five hundredths percent (22.75%)
11 shall be quarterly distributed to the county treasurer of a
12 county having a population of more than thirty-nine thousand
13 six hundred (39,600) but less than forty thousand (40,000) for
14 appropriation by the county fiscal body after receiving a
15 recommendation from the county executive. The county fiscal
16 body for the receiving county shall provide for the distribution
17 of the money received under this clause to one (1) or more
18 taxing units (as defined in IC 6-1.1-1-21) in the county under
19 a formula established by the county fiscal body after receiving
20 a recommendation from the county executive.

21 (B) Twenty-two and seventy-five hundredths percent (22.75%)
22 shall be quarterly distributed to the county treasurer of a
23 county having a population of more than ten thousand seven
24 hundred (10,700) but less than twelve thousand (12,000) for
25 appropriation by the county fiscal body. The county fiscal
26 body for the receiving county shall provide for the distribution
27 of the money received under this clause to one (1) or more
28 taxing units (as defined in IC 6-1.1-1-21) in the county under
29 a formula established by the county fiscal body after receiving
30 a recommendation from the county executive.

31 (C) Fifty-four and five-tenths percent (54.5%) shall be retained
32 by the county where the riverboat is docked for appropriation
33 by the county fiscal body after receiving a recommendation
34 from the county executive.

35 (2) Five percent (5%) of the admissions tax collected during the
36 quarter shall be paid to a town having a population of more than
37 two thousand two hundred (2,200) but less than three thousand
38 five hundred (3,500) located in a county having a population of
39 more than nineteen thousand three hundred (19,300) but less than
40 twenty thousand (20,000). At least twenty percent (20%) of the
41 taxes received by a town under this subdivision must be
42 transferred to the school corporation in which the town is located.

43 (3) Five percent (5%) of the admissions tax collected during the
44 quarter shall be paid to a town having a population of more than
45 three thousand five hundred (3,500) located in a county having a
46 population of more than nineteen thousand three hundred

(19,300) but less than twenty thousand (20,000). At least twenty percent (20%) of the taxes received by a town under this subdivision must be transferred to the school corporation in which the town is located.

(4) Twenty percent (20%) of the admissions tax collected during the quarter shall be paid in equal amounts to each town that:

- (A) is located in the county in which the riverboat docks; and
- (B) contains a historic hotel.

At least twenty percent (20%) of the taxes received by a town under this subdivision must be transferred to the school corporation in which the town is located.

(5) Ten percent (10%) of the admissions tax collected during the quarter shall be paid to the Orange County development commission established under IC 36-7-11.5. At least one-third (1/3) of the taxes paid to the Orange County development commission under this subdivision must be transferred to the Orange County convention and visitors bureau.

(6) Thirteen percent (13%) of the admissions tax collected during the quarter shall be paid to the West Baden Springs historic hotel preservation and maintenance fund established by IC 36-7-11.5-11(b).

(7) Twenty-five percent (25%) of the admissions tax collected during the quarter shall be paid to the Indiana economic development corporation to be used by the corporation for the development and implementation of a regional economic development strategy to assist the residents of the county in which the riverboat is located and residents of contiguous counties in improving their quality of life and to help promote successful and sustainable communities. The regional economic development strategy must include goals concerning the following issues:

- (A) Job creation and retention.
- (B) Infrastructure, including water, wastewater, and storm water infrastructure needs.
- (C) Housing.
- (D) Workforce training.
- (E) Health care.
- (F) Local planning.
- (G) Land use.
- (H) Assistance to regional economic development groups.
- (I) Other regional development issues as determined by the Indiana economic development corporation.

(d) With respect to tax revenue collected from a riverboat that operates from a county having a population of more than four hundred thousand (400,000) but less than seven hundred thousand (700,000), the treasurer of state shall quarterly pay the following amounts:

- (1) Except as provided in subsection (k), one dollar (\$1) of the

1 admissions tax collected by the licensed owner for each person:

2 (A) embarking on a gambling excursion during the quarter; or

3 (B) admitted to a riverboat during the quarter that has
4 implemented flexible scheduling under IC 4-33-6-21;

5 shall be paid to the city in which the riverboat is docked.

6 (2) Except as provided in subsection (k), one dollar (\$1) of the
7 admissions tax collected by the licensed owner for each person:

8 (A) embarking on a gambling excursion during the quarter; or

9 (B) admitted to a riverboat during the quarter that has
10 implemented flexible scheduling under IC 4-33-6-21;

11 shall be paid to the county in which the riverboat is docked.

12 (3) Except as provided in subsection (k), nine cents (\$0.09) of the
13 admissions tax collected by the licensed owner for each person:

14 (A) embarking on a gambling excursion during the quarter; or

15 (B) admitted to a riverboat during the quarter that has
16 implemented flexible scheduling under IC 4-33-6-21;

17 shall be paid to the county convention and visitors bureau or
18 promotion fund for the county in which the riverboat is docked.

19 (4) Except as provided in subsection (k), one cent (\$0.01) of the
20 admissions tax collected by the licensed owner for each person:

21 (A) embarking on a gambling excursion during the quarter; or

22 (B) admitted to a riverboat during the quarter that has
23 implemented flexible scheduling under IC 4-33-6-21;

24 shall be paid to the northwest Indiana law enforcement training
25 center.

26 (5) Except as provided in subsection (k), fifteen cents (\$0.15) of
27 the admissions tax collected by the licensed owner for each
28 person:

29 (A) embarking on a gambling excursion during the quarter; or

30 (B) admitted to a riverboat during a quarter that has
31 implemented flexible scheduling under IC 4-33-6-21;

32 shall be paid to the state fair commission for use in any activity
33 that the commission is authorized to carry out under IC 15-13-3.

34 (6) Except as provided in subsection (k), ten cents (\$0.10) of the
35 admissions tax collected by the licensed owner for each person:

36 (A) embarking on a gambling excursion during the quarter; or

37 (B) admitted to a riverboat during the quarter that has
38 implemented flexible scheduling under IC 4-33-6-21;

39 shall be paid to the division of mental health and addiction. The
40 division shall allocate at least twenty-five percent (25%) of the
41 funds derived from the admissions tax to the prevention and
42 treatment of compulsive gambling.

43 (7) Except as provided in subsection (k) and section 7 of this
44 chapter, sixty-five cents (\$0.65) of the admissions tax collected by
45 the licensed owner for each person embarking on a gambling
46 excursion during the quarter or admitted to a riverboat during the

quarter that has implemented flexible scheduling under IC 4-33-6-21 shall be paid to the Indiana horse racing commission to be distributed as follows, in amounts determined by the Indiana horse racing commission, for the promotion and operation of horse racing in Indiana:

(A) To one (1) or more breed development funds established by the Indiana horse racing commission under IC 4-31-11-10.

(B) To a racetrack that was approved by the Indiana horse racing commission under IC 4-31. The commission may make a grant under this clause only for purses, promotions, and routine operations of the racetrack. No grants shall be made for long term capital investment or construction, and no grants shall be made before the racetrack becomes operational and is offering a racing schedule.

(e) Money paid to a unit of local government under subsection (b)(1) through (b)(2), (c)(1) through (c)(4), or (d)(1) through (d)(2):

(1) must be paid to the fiscal officer of the unit and may be deposited in the unit's general fund or riverboat fund established under IC 36-1-8-9, or both;

(2) may not be used to reduce the unit's maximum levy under IC 6-1.1-18.5 but may be used at the discretion of the unit to reduce the property tax levy of the unit for a particular year;

(3) may be used for any legal or corporate purpose of the unit, including the pledge of money to bonds, leases, or other obligations under IC 5-1-14-4; and

(4) is considered miscellaneous revenue.

(f) Money paid by the treasurer of state under subsection (b)(3) or (d)(3) shall be:

(1) deposited in:

(A) the county convention and visitor promotion fund; or

(B) the county's general fund if the county does not have a convention and visitor promotion fund; and

(2) used only for the tourism promotion, advertising, and economic development activities of the county and community.

(g) Money received by the division of mental health and addiction under subsections (b)(5) and (d)(6):

(1) is annually appropriated to the division of mental health and addiction;

(2) shall be distributed to the division of mental health and addiction at times during each state fiscal year determined by the budget agency; and

(3) shall be used by the division of mental health and addiction for programs and facilities for the prevention and treatment of addictions to drugs, alcohol, and compulsive gambling, including the creation and maintenance of a toll free telephone line to provide the public with information about these addictions. The

1 division shall allocate at least twenty-five percent (25%) of the
 2 money received to the prevention and treatment of compulsive
 3 gambling.

4 (h) This subsection applies to the following:

5 (1) Each entity receiving money under subsection (b).

6 (2) Each entity receiving money under subsection (d)(1) through
 7 (d)(2).

8 (3) Each entity receiving money under subsection (d)(5) through
 9 (d)(7).

10 The treasurer of state shall determine the total amount of money paid
 11 by the treasurer of state to an entity subject to this subsection during
 12 the state fiscal year 2002. The amount determined under this subsection
 13 is the base year revenue for each entity subject to this subsection. The
 14 treasurer of state shall certify the base year revenue determined under
 15 this subsection to each entity subject to this subsection.

16 (i) This subsection applies to an entity receiving money under
 17 subsection (d)(3) or (d)(4). The treasurer of state shall determine the
 18 total amount of money paid by the treasurer of state to the entity
 19 described in subsection (d)(3) during state fiscal year 2002. The
 20 amount determined under this subsection multiplied by nine-tenths
 21 (0.9) is the base year revenue for the entity described in subsection
 22 (d)(3). The amount determined under this subsection multiplied by
 23 one-tenth (0.1) is the base year revenue for the entity described in
 24 subsection (d)(4). The treasurer of state shall certify the base year
 25 revenue determined under this subsection to each entity subject to this
 26 subsection.

27 (j) This subsection does not apply to an entity receiving money
 28 under subsection (c). For state fiscal years beginning after June 30,
 29 2002, the total amount of money distributed to an entity under this
 30 section during a state fiscal year may not exceed the entity's base year
 31 revenue as determined under subsection (h) or (i). If the treasurer of
 32 state determines that the total amount of money distributed to an entity
 33 under this section during a state fiscal year is less than the entity's base
 34 year revenue, the treasurer of state shall make a supplemental
 35 distribution to the entity under ~~IC 4-33-13-5(g)~~ **IC 4-33-13-5(f)**.

36 (k) This subsection does not apply to an entity receiving money
 37 under subsection (c). For state fiscal years beginning after June 30,
 38 2002, the treasurer of state shall pay that part of the riverboat
 39 admissions taxes that:

40 (1) exceeds a particular entity's base year revenue; and

41 (2) would otherwise be due to the entity under this section;

42 to the state general fund instead of to the entity.

43 SECTION 3. IC 4-33-12.5-6, AS ADDED BY P.L.214-2005,
 44 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 45 JULY 1, 2009]: Sec. 6. (a) The county described in IC 4-33-12-6(d)
 46 shall distribute twenty-five percent (25%) of the:

(1) admissions tax revenue received by the county under IC 4-33-12-6(d)(2); and

(2) supplemental distributions received under ~~IC 4-33-13-5(g);~~
IC 4-33-13-5(f);

to the eligible municipalities.

(b) The amount that shall be distributed by the county to each eligible municipality under subsection (a) is based on the eligible municipality's proportionate share of the total population of all eligible municipalities. The most current certified census information available shall be used to determine an eligible municipality's proportionate share under this subsection. The determination of proportionate shares under this subsection shall be modified under the following conditions:

(1) The certification from any decennial census completed by the United States Bureau of the Census.

(2) Submission by one (1) or more eligible municipalities of a certified special census commissioned by an eligible municipality and performed by the United States Bureau of the Census.

(c) If proportionate shares are modified under subsection (b), distribution to eligible municipalities shall change with the:

(1) payments beginning April 1 of the year following the certification of a special census under subsection (b)(2); and

(2) the next quarterly payment following the certification of a decennial census under subsection (b)(1).

SECTION 7. IC 4-33-12.5-7, AS ADDED BY P.L.214-2005, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 7. The county shall make payments under this chapter directly to each eligible municipality. The county shall make payments to the eligible municipalities not more than thirty (30) days after the county receives the quarterly distribution of admission tax revenue under IC 4-33-12-6 or the supplemental distributions received under ~~IC 4-33-13-5(g)~~ **IC 4-33-13-5(f)** from the state."

Page 3, between lines 20 and 21, begin a new paragraph and insert:

"SECTION 4. IC 4-33-13-5, AS AMENDED BY P.L.146-2008, SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 5. (a) This subsection does not apply to tax revenue remitted by an operating agent operating a riverboat in a historic hotel district. After funds are appropriated under section 4 of this chapter, ~~each month~~ the treasurer of state shall distribute the tax revenue deposited in the state gaming fund under this chapter ~~to the following:~~ **as follows:**

(1) The first thirty-three million dollars (\$33,000,000) of tax revenues collected under this chapter ~~in a state fiscal year~~ shall be set aside for revenue sharing under subsection ~~(c):~~ **(d).**

(2) ~~Subject to subsection (c); twenty-five percent (25%) of the remaining tax revenue remitted by each licensed owner shall be paid:~~

(A) to the city that is designated as the home dock of the riverboat from which the tax revenue was collected; in the case of:

- (i) a city described in IC 4-33-12-6(b)(1)(A); or
- (ii) a city located in a county having a population of more than four hundred thousand (400,000) but less than seven hundred thousand (700,000); or

(B) to the county that is designated as the home dock of the riverboat from which the tax revenue was collected; in the case of a riverboat whose home dock is not in a city described in clause (A): **Beginning on the last business day of September and on the last business day of each remaining month in a state fiscal year, one hundred thousand dollars (\$100,000) shall be paid to the county treasurer of each county in Indiana. If the amounts deposited in the state gaming fund are insufficient to fully pay the amounts required under this subdivision in a particular month, the treasurer of state shall equally reduce the amount paid to each county treasurer in that month.**

(3) Subject to subsection ~~(d)~~; (c), the remainder of the tax revenue remitted by each licensed owner shall be paid to the state general fund. In each state fiscal year, the treasurer of state shall make the transfer required by this subdivision not later than the last business day of the month in which the tax revenue is remitted to the state for deposit in the state gaming fund. However, if tax revenue is received by the state on the last business day in a month, the treasurer of state may transfer the tax revenue to the state general fund in the immediately following month.

(b) This subsection applies only to tax revenue remitted by an operating agent operating a riverboat in a historic hotel district. After funds are appropriated under section 4 of this chapter, each month the treasurer of state shall distribute the tax revenue remitted by the operating agent under this chapter as follows:

- (1) Thirty-seven and one-half percent (37.5%) shall be paid to the state general fund.
- (2) Nineteen percent (19%) shall be paid to the West Baden Springs historic hotel preservation and maintenance fund established by IC 36-7-11.5-11(b). However, at any time the balance in that fund exceeds twenty million dollars (\$20,000,000), the amount described in this subdivision shall be paid to the state general fund.
- (3) Eight percent (8%) shall be paid to the Orange County development commission established under IC 36-7-11.5.
- (4) Sixteen percent (16%) shall be paid in equal amounts to each town that is located in the county in which the riverboat docks and contains a historic hotel. The following apply to taxes received by

- 1 a town under this subdivision:
- 2 (A) At least twenty-five percent (25%) of the taxes must be
- 3 transferred to the school corporation in which the town is
- 4 located.
- 5 (B) At least twelve and five-tenths percent (12.5%) of the
- 6 taxes must be transferred to the Orange County convention
- 7 and visitors bureau.
- 8 (5) Nine percent (9%) shall be paid to the county treasurer of the
- 9 county in which the riverboat is docked. The county treasurer
- 10 shall distribute the money received under this subdivision as
- 11 follows:
- 12 (A) Twenty-two and twenty-five hundredths percent (22.25%)
- 13 shall be quarterly distributed to the county treasurer of a
- 14 county having a population of more than thirty-nine thousand
- 15 six hundred (39,600) but less than forty thousand (40,000) for
- 16 appropriation by the county fiscal body after receiving a
- 17 recommendation from the county executive. The county fiscal
- 18 body for the receiving county shall provide for the distribution
- 19 of the money received under this clause to one (1) or more
- 20 taxing units (as defined in IC 6-1.1-1-21) in the county under
- 21 a formula established by the county fiscal body after receiving
- 22 a recommendation from the county executive.
- 23 (B) Twenty-two and twenty-five hundredths percent (22.25%)
- 24 shall be quarterly distributed to the county treasurer of a
- 25 county having a population of more than ten thousand seven
- 26 hundred (10,700) but less than twelve thousand (12,000) for
- 27 appropriation by the county fiscal body after receiving a
- 28 recommendation from the county executive. The county fiscal
- 29 body for the receiving county shall provide for the distribution
- 30 of the money received under this clause to one (1) or more
- 31 taxing units (as defined in IC 6-1.1-1-21) in the county under
- 32 a formula established by the county fiscal body after receiving
- 33 a recommendation from the county executive.
- 34 (C) Fifty-five and five-tenths percent (55.5%) shall be retained
- 35 by the county where the riverboat is docked for appropriation
- 36 by the county fiscal body after receiving a recommendation
- 37 from the county executive.
- 38 (6) Five percent (5%) shall be paid to a town having a population
- 39 of more than two thousand two hundred (2,200) but less than
- 40 three thousand five hundred (3,500) located in a county having a
- 41 population of more than nineteen thousand three hundred
- 42 (19,300) but less than twenty thousand (20,000). At least forty
- 43 percent (40%) of the taxes received by a town under this
- 44 subdivision must be transferred to the school corporation in which
- 45 the town is located.
- 46 (7) Five percent (5%) shall be paid to a town having a population

of more than three thousand five hundred (3,500) located in a county having a population of more than nineteen thousand three hundred (19,300) but less than twenty thousand (20,000). At least forty percent (40%) of the taxes received by a town under this subdivision must be transferred to the school corporation in which the town is located.

(8) Five-tenths percent (0.5%) shall be paid to the Orange County convention and visitors bureau.

(c) For each city and county receiving money under subsection (a)(2), the treasurer of state shall determine the total amount of money paid by the treasurer of state to the city or county during the state fiscal year 2002. The amount determined is the base year revenue for the city or county. The treasurer of state shall certify the base year revenue determined under this subsection to the city or county. The total amount of money distributed to a city or county under this section during a state fiscal year may not exceed the entity's base year revenue. For each state fiscal year, the treasurer of state shall pay that part of the riverboat wagering taxes that:

- (1) exceeds a particular city's or county's base year revenue; and
- (2) would otherwise be due to the city or county under this section;

to the state general fund instead of to the city or county.

(d) (c) Each state fiscal year the treasurer of state shall transfer from the tax revenue remitted to the state general fund under subsection (a)(3) to the build Indiana fund an amount that when added to the following may not exceed two hundred fifty million dollars (\$250,000,000):

- (1) Surplus lottery revenues under IC 4-30-17-3.
- (2) Surplus revenue from the charity gaming enforcement fund under IC 4-32.2-7-7.
- (3) Tax revenue from pari-mutuel wagering under IC 4-31-9-3.

The treasurer of state shall make transfers on a monthly basis as needed to meet the obligations of the build Indiana fund. If in any state fiscal year insufficient money is transferred to the state general fund under subsection (a)(3) to comply with this subsection, the treasurer of state shall reduce the amount transferred to the build Indiana fund to the amount available in the state general fund from the transfers under subsection (a)(3) for the state fiscal year.

(e) (d) Before August 15 of each year, the treasurer of state shall distribute the wagering taxes set aside for revenue sharing under subsection (a)(1) to the county treasurer of each county that does not have a riverboat according to the ratio that the county's population bears to the total population of the counties that do not have a riverboat. Except as provided in subsection (h); (g), the county auditor shall distribute the money received by the county under this subsection as follows:

(1) To each city located in the county according to the ratio the city's population bears to the total population of the county.

(2) To each town located in the county according to the ratio the town's population bears to the total population of the county.

(3) After the distributions required in subdivisions (1) and (2) are made, the remainder shall be retained by the county.

~~(f)~~ (e) Money received by a city, town, or county under subsection ~~(e)~~ (d) or ~~(h)~~ (g) may be used for any of the following purposes:

(1) To reduce the property tax levy of the city, town, or county for a particular year (a property tax reduction under this subdivision does not reduce the maximum levy of the city, town, or county under IC 6-1.1-18.5).

(2) For deposit in a special fund or allocation fund created under IC 8-22-3.5, IC 36-7-14, IC 36-7-14.5, IC 36-7-15.1, and IC 36-7-30 to provide funding for debt repayment.

(3) To fund sewer and water projects, including storm water management projects.

(4) For police and fire pensions.

(5) To carry out any governmental purpose for which the money is appropriated by the fiscal body of the city, town, or county.

Money used under this subdivision does not reduce the property tax levy of the city, town, or county for a particular year or reduce the maximum levy of the city, town, or county under IC 6-1.1-18.5.

~~(g)~~ (f) This subsection does not apply to an entity receiving money under IC 4-33-12-6(c). Before September 15 of each year, the treasurer of state shall determine the total amount of money distributed to an entity under IC 4-33-12-6 during the preceding state fiscal year. If the treasurer of state determines that the total amount of money distributed to an entity under IC 4-33-12-6 during the preceding state fiscal year was less than the entity's base year revenue (as determined under IC 4-33-12-6), the treasurer of state shall make a supplemental distribution to the entity from taxes collected under this chapter and deposited into the state general fund. Except as provided in subsection ~~(i)~~, (h), the amount of an entity's supplemental distribution is equal to:

(1) the entity's base year revenue (as determined under IC 4-33-12-6); minus

(2) the sum of:

(A) the total amount of money distributed to the entity during the preceding state fiscal year under IC 4-33-12-6; plus

(B) any amounts deducted under IC 6-3.1-20-7.

~~(h)~~ (g) This subsection applies only to a county containing a consolidated city. The county auditor shall distribute the money received by the county under subsection ~~(e)~~ (d) as follows:

(1) To each city, other than a consolidated city, located in the county according to the ratio that the city's population bears to the

- 1 total population of the county.
- 2 (2) To each town located in the county according to the ratio that
- 3 the town's population bears to the total population of the county.
- 4 (3) After the distributions required in subdivisions (1) and (2) are
- 5 made, the remainder shall be paid in equal amounts to the
- 6 consolidated city and the county.
- 7 ~~(f)~~ **(h)** This subsection applies only to the Indiana horse racing
- 8 commission. For each state fiscal year the amount of the Indiana horse
- 9 racing commission's supplemental distribution under subsection ~~(g)~~ **(f)**
- 10 must be reduced by the amount required to comply with
- 11 IC 4-33-12-7(a).".
- 12 Renumber all SECTIONS consecutively.
- (Reference is to HB 1729 as printed February 17, 2009.)

Representative Walorski